

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>SHAWN E. DENT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. CIV-18-159-G</b>
	)	
<b>BNSF RAILWAY COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

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<b>BRANDON SMITHWICK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. CIV-18-160-G</b>
	)	
<b>BNSF RAILWAY COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now before the Court is Plaintiffs' Affirmative Motion in Limine (No. CIV-18-159, Doc. No. 195; No. CIV-18-160, Doc. No. 236), to which responses and replies have been filed. The Court also heard argument on the motion on May 18, 2021.

As stated by the Court, the Motion is DENIED. Plaintiffs shall not be permitted to introduce evidence regarding any inconsistency of Defendant's litigation position prior to the entry of stipulations Defendant has entered into for purposes of trial. *See Roda Drilling Co. v. Siegal*, No. 07-CV-400, 2009 WL 1926269, at \*1 (N.D. Okla. June 29, 2009).

IT IS SO ORDERED this 18th day of May, 2021.

  
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CHARLES B. GOODWIN  
United States District Judge